

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

BANCO SAN JUAN INTERNACIONAL, INC.,

Plaintiff,

v.

FEDERAL RESERVE BANK OF NEW YORK  
and BOARD OF GOVERNORS OF  
THE FEDERAL RESERVE SYSTEM,

Defendants.

Case No. 1:23-cv-6414

**DEFENDANT BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM’S  
NOTICE OF MOTION TO DISMISS THE AMENDED COMPLAINT**

Pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6), Defendant Board of Governors of the Federal Reserve System (“Board”) respectfully submits this motion to dismiss the amended complaint filed by Plaintiff Banco San Juan Internacional, Inc. By this motion, the Board respectfully requests that the Court dismiss all claims in the amended complaint against the Board for lack of standing. Alternatively, the Board respectfully requests dismissal of Count I (Administrative Procedure Act), Count II (Mandamus Act), and Count III (Declaratory Judgment Act), pursuant to Rule 12(b)(1), for lack of subject matter jurisdiction; and dismissal of Count IV (Fifth Amendment Due Process Clause), pursuant to Rule 12(b)(6), for failure to state a claim upon which relief can be granted.

Accompanying this motion are a memorandum of law and a declaration attaching Exhibit A.

Dated: March 22, 2024

Respectfully submitted,

/s/ Joshua P. Chadwick

Mark Van Der Weide, General Counsel

Richard M. Ashton, Deputy General Counsel

Joshua P. Chadwick (JC9369), Senior Special Counsel

Yvonne F. Mizusawa (YM5081), Senior Counsel

Nicholas Jabbour (*pro hac vice*), Senior Counsel

Board of Governors of the Federal Reserve System

20th Street and Constitution Avenue, N.W.

Washington, D.C. 20551

(202) 263-4835

joshua.p.chadwick@frb.gov

*Counsel for Defendant Board of Governors of the  
Federal Reserve System*

**CERTIFICATE OF SERVICE**

I hereby certify that on March 22, 2024, I electronically filed the foregoing using the court's CM/ECF system, which will send notification of such filing to all parties of record.

By: /s/ Joshua P. Chadwick  
Joshua P. Chadwick

*Counsel for Defendant Board of Governors  
of the Federal Reserve System*